

information sent me by or on behalf of Mr. Bodwell. The ground on which I wished to attract the attention of the House to this subject was that it seemed to me that in the proceedings taken there was a very great departure from the usual and the correct course. From what appeared in the public press, I judge that some complaints were made by some persons against Mr. Bodwell and forwarded to the hon. gentleman. It was perfectly correct that the hon. Minister should take cognizance of any charges made against a public officer, and if he thought, after explanation had been rendered, that they demanded investigation, provide machinery for an investigation; but what does appear to me very extraordinary—and I call the attention of the First Minister to it, not in Mr. Bodwell's interest, for the matter is past and done, but in the interest of the public service generally—was this: that the Commission being issued offering an opportunity to those persons who had complained of Mr. Bodwell's conduct to prosecute their complaints, the Government should, as the public prints intimated that the Government did, retain a prosecuting counsel to conduct the enquiry into charges against their own servant. I do not think that that circumstance can have attracted the First Minister's attention. I do not mention it in order to make a point against the Government, but rather with the view of having a settlement of what I think is a very important question. Now, as I said, it appears from the evidence in the public prints, that somebody or other was appointed a prosecuting counsel to conduct the enquiry before the Commissioner. He called witnesses. He called Mr. Bodwell himself, put him in the box, examined, cross-examined, and examined him again in the most severe manner with the view of proving out of his own mouth that he was guilty of some offence or other; and I presume, though I do not know, that these witnesses who were summoned were summoned at the expense of the Government. What does that amount to? If that course is to be pursued, it establishes a general course to be followed with reference to any civil servant against whom charges may be made which the Minister thinks are worthy of enquiry. Now, it seems to me there ought to be no obstruction to enquiry into such charges, that the Minister ought to submit them to the officer, obtain the officer's declaration with such corroborative evidence as the officer can give, and, if after looking at the two sides of the question, he thinks there is something to investigate, he should put the matter into a train of enquiry; but I do think that the civil servant is entitled to have it said that the Crown should not prosecute that enquiry. I think those who made the charge should have an opportunity of coming before the tribunal, represented by counsel, if counsel be required. The civil servant should be equally entitled to have himself defended by counsel from his point of view, and the Government should stand entirely neutral between the accuser and the accused, not lending a helping hand to protect its officer from investigation, but not lending either a helping hand to further the efforts of the prosecution. I think the Government should stand in that independent position, seeing that no injustice is done, in the conduct of the transaction to either side. If, as stated in the Opposition prints, the Government appointed a prosecuting counsel, the enquiry was turned into a Government prosecution. I submit to the judgment of the First Minister whether that is a wise, just and proper way of dealing with the public service. I should be the last to defend Mr. Bodwell, or anyone else, from proper investigation, but I think the Government ought to occupy the position I have intimated in regard to those matters, and not assume the position of prosecuting counsel. The expenses of the prosecution were paid by the Government and Mr. Bodwell's expenses also. I think it was very proper, if the Government undertook to prosecute him, and he was put to great expense, and the prosecution failed, that the Government

should have paid his expenses; but the whole thing seems to have proceeded on a false basis, in reference to the particular to which I have referred. With reference to the result, Mr. Bodwell having been, as I suppose, from the public prints, acquitted of these charges—as from what I have read in the papers, he ought to have been—having been suspended as he was, and upon this I do not presume to offer an opinion—I can see cases in which it would be proper to suspend an officer—having been, after suspension and acquittal, restored to his office, he is afterwards changed to another place. Well, we know what use has been made of the Welland Canal, and of the patronage of that canal in old times, and it appeared to me there has been a dead set against Mr. Bodwell by those who made use of that canal patronage in those old times; that there was a determination—I do not say on the part of the hon. gentleman—but on the part of over zealous supporters of his to obtain control of the patronage of the Welland Canal and use it as it was used in former days; and that having for this object, by this Commission and prosecution, assailed Mr. Bodwell, and he having been acquitted and restored, pressure was brought to bear on the Minister of a kind which I presume obliged him to make a transfer. If that transfer was made upon the grounds the hon. gentlemen states, I am not to sit in judgment upon it and condemn it, because, as I have just admitted, he might have been convinced that Mr. Bodwell though not guilty upon this charge, and being a man of high integrity, was yet not competent to fill this office. I should be very much surprised if that was the result. But it is satisfactory to know that the Minister of Railways and Canals gives high testimony to his character, because every one of us who knows him will be convinced that he is a person of high integrity and unblemished character quite fit, in my opinion, to fill a high office in the public service. Unless his removal was justifiable, it was a dangerous infraction of the independence of the Civil Service, because you may compel a man to accept an office in British Columbia, very much inferior, relatively to the one he held in the province in which he has always resided, and he may be obliged to accept your proposal and keep his mouth shut—to make no complaint for fear a worse thing may yet come. I do not know if that was so in this case—but if so, it would be a sort of punishment, a course of conduct with reference to a civil servant, wholly unjustifiable, to say, I transfer you from the Welland Canal to British Columbia, upon those terms. There are circumstances which might justify it, and if the Minister's judgment is justified by the evidence, that will, of course, sustain this transaction. But it does seem to me to be rather a determination on the part of friends of the Minister that Mr. Bodwell should cease to be Superintendent of the Welland Canal, which has led to his transfer from the honorable and important position he held to the much less valuable and pleasant position to which he has been removed.

Sir JOHN A. MACDONALD. My hon. friend says he regrets that the Minister of Railways made the remarks we have heard with regard to Mr. Bodwell, before the papers were brought down. I think that my hon. friend is not open to any attack on this ground. Had the hon. gentleman, who moved this resolution, confined himself to the papers they might have been granted without remarks. But he made a speech on the occasion, and challenged the removal of a public officer from one place to another, arguing that if he was blameworthy, he ought to have been dismissed altogether. Now, I happen to know, from Mr. Bodwell himself, that it was made at his suggestion, and that he is perfectly satisfied with the manner in which he has been treated by the Minister of Railways. No one is more anxious to support the independence of the Civil Service than myself. I have always endeavored to do so, and always shall; but still the service is not made for the employee but for the public interest. If it be for the